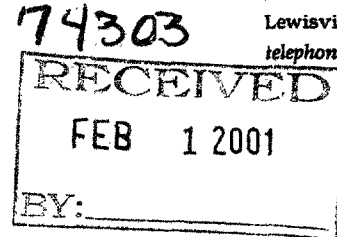


34

Fleming

1945 Lakepointe Dr.
P.O. Box 299013
Lewisville, TX 75029
telephone 972.906.8000



Felicia Satchell
Office of Nutritional Products Labeling & Dietary Supplements
HFS 820
F.D.A.
200 C. Street SW
Washington DC 20204

Dear Felicia:

I am witting to request your consideration in amending the recent ruling requiring a safe handling statement on cartons of shell eggs. As a major grocery supplier and retailer, my Company sells millions of dozen of eggs every year. While we support the effort to communicate safe egg handling instruction to consumers, we find the need to have flexibility in the location of this labeling.

Please consider allowing this safe handling statement to be placed not only on the top principle display panel, or on the front or back of our carton, but also on the inside of the carton. This flexibility will allow us to comply with this rule and still maintain our ability to merchandise our eggs to the maximum extent possible given the myriad legal printing requirements already in place.

As a major food retailer, I urge you to allow this flexibility in your ruling. Thank you for your consideration.

Best regards,

FLEMING COMPANIES, INC.



Kurt Schumacher